

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE ALFONSO RUIZ.

Plaintiff,

V.

SUPERIOR COURT OF CALIFORNIA,
et al.,

Defendants

Case No. 1:20-cv-00179-DAD-JLT (PC)

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH THE
COURT'S ORDER**

21-DAY DEADLINE

On February 3, 2021, this Court adopted the magistrate judge's Findings and Recommendations to dismiss this action with leave to amend, due to Plaintiff's failure to state a cognizable claim. (Doc. 13.) On March 18, 2021, the Court granted Plaintiff a thirty-day extension of time to comply with its order. (Doc. 16.) Although more than the allowed time has passed, Plaintiff has failed to file an amended complaint.

The Local Rules, corresponding with Federal Rule of Civil Procedure 11, provide that the “[f]ailure of counsel or of a party to comply with . . . any order of the Court may be grounds for the imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” L.R. 110. “District courts have inherent power to control their dockets” and, in exercising that power, may impose sanctions, including dismissal of an action. *Thompson v. Housing Auth., City of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party’s failure to prosecute an action, obey a court order, or comply with local rules. See, e.g.,

Ferdik v. Bonzelet, 963 F.2d 1258, 1260–61 (9th Cir. 1992) (dismissal for failure to comply with a court order to amend a complaint); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130-31 (9th Cir. 1987) (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

5 Accordingly, Plaintiff is **ORDERED** to show cause in writing, within 21 days of the date
6 of service of this order, why this action should not be dismissed for his failure to comply with the
7 Court's order. Alternatively, within that same time, Plaintiff may file a first amended complaint
8 or a notice of voluntary dismissal of this case. **Failure to comply with this order will result in a**
9 **recommendation that this case be dismissed for failure to state a claim and to obey a court**
10 **order.**

IT IS SO ORDERED.

13 Dated: April 29, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE